

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

JAMES W.E. ZOLLIECOFFER'EL,)	
Inmate #R-23723,)	
)	
Plaintiff,)	
)	CIVIL NO. 06-1011-DRH
vs.)	
)	
ROGER E. WALKER, JR., et al.,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

HERNDON, District Judge:

The Court previously granted Plaintiff's motion to proceed *in forma pauperis* (see Docs. 2, 14). It has since come to the Court's attention that Plaintiff has had three or more prior prisoner actions dismissed on the grounds that they were frivolous, malicious, or failed to state a claim upon which relief may be granted. See, e.g., *Zolliecoffer v. City of Aurora*, Case No. 1:02-cv-3326 (N.D. Illinois, dismissed for failure to state a claim June 5, 2002); *Zolliecoffer v. Stuckert*, Case No. 1:02-cv-3327 (N.D. Illinois, dismissed for failure to state a claim May 13, 2002); *Zolliecoffer v. Kane County*, Case No. 1:02-cv-3242 (N.D. Illinois, dismissed for failure to state a claim May, 29 2002); *Zolliecoffer v. Kane*, Case No. 1:02-cv-3243 (N.D. Illinois, dismissed for failure to state a claim June 5, 2002). The Court notes that Plaintiff was asked on the Court's form motion to proceed *in forma pauperis*, "Have you ever filed any other lawsuits in any federal court during this or any other period of incarceration?" Plaintiff checked no. The Court does not tolerate lying, and Plaintiff's blatant failure to disclose his prior lawsuits is not taken lightly.

The Court notes that Plaintiff attempted to invoke the "imminent danger" exception to the

three-strikes ban. *See* 28 U.S.C. § 1915(g). However, the claims in this action involve a disciplinary proceeding, which does not indicate that Plaintiff was under imminent danger of serious physical injury at the time he filed this action.

IT IS THEREFORE ORDERED that the order granting the *in forma pauperis* motion (Doc. 14) is **VACATED** and **HELD FOR NAUGHT**.

IT IS FURTHER ORDERED that the motion for leave to proceed *in forma pauperis* (Doc. 2) is **DENIED**.

IT IS FURTHER ORDERED that Plaintiff shall pay the full filing fee of \$350 for this action within **FIFTEEN (15) DAYS** of the entry of this Order.

IT IS FURTHER ORDERED that if Plaintiff does not comply with this Order in the time allotted, this case will be closed for failure to comply with an order of this Court. FED.R.CIV.P. 41(b); *see generally* *Ladien v. Astrachan*, 128 F.3d 1051 (7th Cir. 1997); *Johnson v. Kamminga*, 34 F.3d 466 (7th Cir. 1994).

The Clerk is **DIRECTED** to mail a copy of this Memorandum and Order to Plaintiff and to the Trust Fund Officer at the Menard Correctional Center *upon entry of this Memorandum and Order*.

IT IS SO ORDERED.

DATED: July 10, 2007.

/s/ David RHerndon
DISTRICT JUDGE